

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

HUMAN RIGHTS DEFENSE  
CENTER,

Plaintiff,

v.

JEFFREY A. UTTECHT,  
SUPERINTENDENT OF COYOTE  
RIDGE CORRECTIONS CENTER OF  
the WASHINGTON DEPARTMENT  
OF CORRECTIONS, in his individual  
and official capacities; JOHN D.  
TURNER, MAILROOM SERGEANT  
of COYOTE RIDGE CORRECTIONS  
CENTER, in his individual and official  
capacities,

Defendants.

NO: 4:20-CV-5242-TOR

ORDER ON VOLUNTARY  
DISMISSAL WITH PREJUDICE

BEFORE THE COURT is Plaintiff's Notice of Voluntary Dismissal (ECF  
No. 4). The Court has reviewed the record and files herein, and is fully informed.

1 According to Rule 41(a)(1)(A)(i), “the plaintiff may dismiss an action  
2 without a court order by filing: (i) a notice of dismissal before the opposing party  
3 serves either an answer or a motion for summary judgment....”. In this case,  
4 Plaintiff did not accomplish service of the complaint upon Defendants in the time  
5 frame allotted by Federal Rule of Civil Procedure 4. Therefore, dismissal of the  
6 complaint without prejudice is appropriate.

7 **ACCORDINGLY, IT IS HEREBY ORDERED:**

8 Pursuant to Rule 41(a)(1)(A)(i) and Plaintiff’s notice of voluntary dismissal,  
9 this action is **DISMISSED** without prejudice.

10 The District Court Executive is directed to enter this Order and Judgment  
11 accordingly, furnish a copy to Plaintiff, and **CLOSE** the file.

12 DATED March 18, 2021.



15  
16  
17

A handwritten signature in blue ink that reads "Thomas O. Rice". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

18  
19  
20

THOMAS O. RICE  
United States District Judge